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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,512	11/26/2003	Sumitake Kobayashi	1734.1001CIP	6099
21171	7590	10/02/2006		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER NGUYEN, HAI V	
			ART UNIT 2142	PAPER NUMBER

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,512

Applicant(s)

KOBAYASHI ET AL.

Examiner

Hai V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No: _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to the communication received on 18 July 2006.
2. Claims 1-13, 25 were cancelled.
3. Claims 14-24 are presented for examination.

Response to Arguments

4. Applicant's arguments received on 18 July 2006 have been fully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground(s) of rejection as explained here below, necessitated by Applicant's substantial amendment to the claims 14, 21, 22, 24, which significantly affected the scope thereof.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 14-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yoshida et al. U.S. patent # 6,130,757** in view of **Iwai et al. US patent # 6,646,755 B1**.
7. As to claim 14, Yoshida discloses a server (*Fig. 1, copying machine 1 as server 1 or PC 3*) connected with a plurality of multifunction machines (*Fig. 1, 1-6*) via a network, the server comprising:

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a plurality of functions (*title, client-server system with effectively used server functions, col. 2, lines 60-62, the client apparatus can realize the functions provided by the server in the network; col. 4, lines 30-42*);

a plurality of request processing units (*Fig. 4, CPUs 101-106*) in communication with the functions (*printing function, faxing function*) and processing function requests (*Figs. 21-22, function search requests, function publication requests*) received from at least one of the multifunction machines to execute the functions (*Figs. 21-22, col. 14, line 16 – col. 15, line 20*);

an assigning unit that assigns one of the request processing units to a multifunction machine based on a connection request from the multifunction machine (*Figs. 23-25; col. 15, line 43 – col. 18, line 27*), and sends a completion-of-assignment notification to the multifunction machine indicating that processing of a function request is possible (*the server 2 once is selected, based on the connection request, sending the information of detailed functions, col. 15, lines 33-42*), wherein the request processing unit controls executing according to a function command received from the assigned multifunction machine (*the CPU 103 judges, executes the jobs (e.g., copying function, printing function, facsimile transmission function) registered in the server apparatus, Figs. 23-26, col. 17, line 6 - col. 20, line 5*);

However, Yoshida does not explicitly disclose an assignment canceling unit that cancels the assignment of the request processing unit to the multifunction machine when the command of the function is not received from the assigned multifunction machine within a predetermined amount of time.

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In the same field of endeavor, Iwai disclose *the inhibition of the automatic printing is canceled when a predetermined time has lapsed (Iwai, claim 23)*.

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Iwai's teachings of the inhibition of the automatic printing (*Iwai, claim 23*) with the teachings of Yoshida, for the *purpose of providing processing an image in which automatic printing is not inhibited unnecessarily (Iwai, col. 2, line 67 – col. 3, line 2) or executing another higher-priority printing job immediately (Yoshida, col. 2, lines 15-21)*.

Yoshida-Iwai discloses an information recorder that has multifunction connection information indicative of whether the multifunction machine is acceptable to be in an operable state in linkage with the server, wherein the connection request from the multifunction machine is assigned to the request processing unit in the assigning based on the multifunction connection information (*Yoshida, Figs. 11-17, connection tab and registration tab; col. 2, line 22 - col. 3, line 17; Figs. 23-26, col. 17, line 6 - col. 20, line 5*).

8. As to claim 15, Yoshida-Iwai discloses, wherein the completion-of-assignment notification has information of the function, and the function is processable by the server (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67*).

9. As to claim 16, Yoshida-Iwai discloses, wherein the function is a fax that faxes image data (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67*); and

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wherein the request processing unit controls the fax and sends the image data received from the multifunction machine when the request processing unit receives from the multifunction machine a fax command as the function command to fax the image data (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25*).

10. As to claim 17, Yoshida-Iwai discloses wherein the function is a recorder that records image data; wherein the request processing unit records the image data received from the multifunction machine on the recorder when the request processing unit receives from the multifunction machine a record command as the function command to record the image data (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25*).

11. As to claim 18, Yoshida-Iwai discloses a utilizing situation recorder that records utilizing situation information received from the plurality of multifunction machines, the utilizing situation information being information how often each of the multifunction machines is used; and a utilizing situation information transmitter that transmits, when any one of nodes on the network makes a request for transmitting the utilizing situation information, the utilizing situation information back to said node having transmitted a transmission request (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25*).

12. As to claim 19, Yoshida-Iwai discloses wherein the utilizing situation information transmitter transmits the utilizing situation information to the network nodes in

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accordance with a predetermined schedule (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25*).

13. As to claim 20, Yoshida-Iwai discloses a destruction detecting unit that detects a destruction of the information recorded on the utilizing situation recorder; a utilizing situation information managing unit that requests each of the multifunction machines to transmit the utilizing situation information when the destruction detecting unit detects the destruction, and again records the transmitted utilizing situation information on the utilizing situation recorder (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25*).

14. Claim 21 corresponds to the computer readable medium claim of claim 14; therefore, it is rejected under the same rationale as in claim 14.

15. Claim 22 corresponds the method claim of claim 14; therefore, it is rejected under the same rationale as in claim 14.

16. As to claim 23, Yoshida-Iwai discloses, wherein the server has information of each of the multifunction machines, and the information has at least one of a status of the multifunction machine, a type of executable job, an address on the network, user information and a type of connection (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25*).

17. As to claim 24, Yoshida-Iwai discloses a server connected with a plurality of multifunction machines via a network, the server comprising:

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a plurality of functions (*Yoshida, title, client-server system with effectively used server functions, col. 2, lines 60-62, the client apparatus can realize the functions provided by the server in the network; col. 4, lines 30-42*);

a plurality of request processing units in communication with the functions and processing function requests received from at least one of the multifunction machines to execute the functions (*Yoshida, Figs. 21-22, col. 14, line 16 – col. 15, line 20*);

an assigning unit that assigns one of the request processing units to a multifunction machine based on a connection request from the multifunction machine (*Figs. 23-25; col. 15, line 43 – col. 18, line 27*), and sends a completion-of-assignment notification to the multifunction machine indicating that processing of a function request is possible (*the server 2 once is selected, based on the connection request, sending the information of detailed functions, col. 15, lines 33-42*), wherein the request processing unit controls executing according to a function command received from the assigned multifunction machine (*the CPU 103 judges, executes the jobs (e.g., copying function, printing function, facsimile transmission function) registered in the server apparatus, Figs. 23-26, col. 17, line 6 - col. 20, line 5*); and

an assignment canceling unit that cancels the assignment of the request processing unit to the multifunction machine when the command of the function is not received from the assigned multifunction machine within a predetermined amount of time (*Iwai, col. 2, line 67 – col. 3, line 2; claim 23*),

wherein the server has at least one of option information, multifunction machine connection information, non-self system linkage information, and intra self-system

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registration address information, the option information is information of a function executable by the server, the multifunction machine, and the non-self system linkage information is used when the server accesses another system on the network, and the intra self-system registration address information is used when the server accesses intra self-system (*Yoshida, Figs. 11-17, 20; col. 2, line 22 - col. 3, line 17; col. 8, line 55 – col. 10, line 67; col. 14, line 55 – col. 15, line 25*).

18. Further references of interest are cited on Form PTO-892, which is an attachment to this action.

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 571-272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hai V. Nguyen
Examiner
Art Unit 2142



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